

ORDINANCE NO. 980625-Q

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE CITY CODE AS FOLLOWS:

7.174 ACRE TRACT OF LAND OUT OF THE J.P. WALLACE LEAGUE, FROM "SF-3" FAMILY RESIDENCE DISTRICT TO "MF-2-CO" MULTI-FAMILY RESIDENCE (LOW DENSITY) DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT AND "RR-CO" RURAL RESIDENCE DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN AS THE PROPERTY LOCATED AT BLESSING AVENUE AND WHEATLEY AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Zoning Map established by Chapter 13-2-22 of the City Code is amended to change the respective base zoning districts and to establish a Conditional Overlay combining district on the property (the "Property") described in File C14-98-0049, as follows:

Tract 1: From "SF-3" Family Residence district to "MF-2-CO" Multi-family Residence (Low Density) district-Conditional Overlay combining district

7.174 acre tract of land out of the J. P. Wallace League, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, EXCEPT the tract of land described as Tract 2, consisting of a 3.114 acre tract of land.

Tract 2: From "SF-3" Family Residence district to "RR-CO" Rural Residence (Low Density) district-Conditional Overlay combining district

3.114 acre tract of land out of the J. P. Wallace League, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance,

locally known as the property located at Blessing Avenue and Wheatley Avenue, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "C".

PART 2. The Property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following conditions:

1. Multifamily development on the Property may not exceed a density of 175 residential units per acre.
2. No site plan for development of the Property or any portion of the Property may be approved or released, and no building permit for construction of a building on the Property may be issued, before the dedication of up to 30 feet of right-of-way from the existing centerline of Blessing Avenue, in accordance with Section 13-5-9 in Chapter 13-5 of the City Code.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the Land Development Code.

PART 3. The Council waives the requirements of Sections 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on July 6, 1998.

PASSED AND APPROVED

_____, June 25, 1998. §
 §
 § Kirk Watson
 § Mayor

APPROVED: Andrew Martin ATTEST: Betty G. Brown
 Andrew Martin Betty G. Brown
 City Attorney Deputy City Clerk

FIELD NOTES DESCRIPTION

BEING A TRACT OR PARCEL OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING OUT OF AND A PART OF THE J. P. WALLACE LEAGUE, AND BEING A PART OF THAT CERTAIN TRACT OF LAND SAID TO CONTAIN EIGHTEEN (18) ACRES OF LAND DESCRIBED AS TRACT THREE IN A DEED TO ST. JOHN'S REGULAR BAPTIST ASSOCIATION FROM A. K. BLACK AND WIFE, MARTHA BLACK, DATED AUGUST 31, 1956, AND RECORDED IN 1746, PAGE 512, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for a point of reference at an iron rod set in the east right-of-way line of Blessing Avenue, at its intersection with the north right-of-way line of Delmar Avenue, not opened, for the Southwest corner of Lot 1, Block 21, of the A. K. Black Subdivision, recorded in Volume 4, Page 185, of the Plat Records of Travis County, Texas;

THENCE with the north right-of-way line of said Delmar Avenue, the same being the south line of said Lot 1, Block 21, South 60°00'00" East, a distance of 157.98 feet to an iron rod set in the east line of the said A. K. Black Subdivision, for the Northeast corner of said Delmar Avenue, for the Northwest corner of Regan Hill, a subdivision recorded in Volume 46, Page 39, of the Plat Records of Travis County, Texas, for the Southeast corner of said Lot 1, Block 21, for the Southwest corner of the said 18 acre tract, and for the Southwest corner and POINT OF BEGINNING of the herein described tract;

THENCE with the east line of the said A. K. Black Subdivision, the same being the west line of the said 18 acre tract, North 30°00'00" East, at a distance of 500.00 feet pass an iron rod set, for the Northeast corner of Block 21, of the said A. K. Black subdivision, and for the Southeast corner of Wheatley Avenue, at a distance of 550.00 feet pass an iron rod set, for the Northeast corner of said Wheatley Avenue, and for the Southeast corner of Block 28, of the said A. K. Black subdivision, in all a total distance of 1,000.69 feet to a highway monument found in the south right-of-way line of U. S. Highway No. 183, for the Southeast corner of the said A. K. Black subdivision, for the North corner of that certain tract of land described as Parcel 22 in a deed to the State of Texas from The St. John's Regular Baptist Association, and recorded in Volume 12405, Page 1910, of the Real Property Records of Travis County, Texas, for the Northwest corner of the said 18 acre tract, and for the Northwest corner of this tract;

THENCE with the south line of the said State of Texas tract, the following three (3) courses:

1. South 22°15'33" East, a distance of 187.67 feet to an iron rod found, for an angle corner of this tract;

EXHIBIT "A"


2. South $60^{\circ}01'38''$ East, a distance of 325.03 feet to a highway monument found, for an angle corner of this tract;
3. South $62^{\circ}39'14''$ East, a distance of 33.12 feet to an iron rod set, for the Northeast corner of this tract;

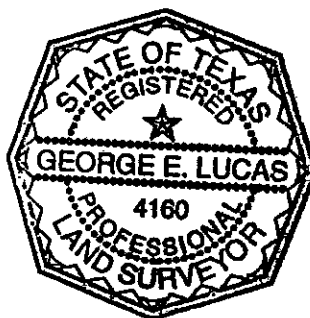
THENCE through the said 18 acre tract, the following ten (10) courses:

1. South $30^{\circ}07'24''$ West, a distance of 50.68 feet to an iron rod set, for an angle corner of this tract;
2. South $21^{\circ}41'01''$ West, a distance of 21.95 feet to an iron rod set, for an angle corner of this tract;
3. South $20^{\circ}21'16''$ West, a distance of 68.33 feet to an iron rod set, for an angle corner of this tract;
4. South $08^{\circ}51'13''$ West, a distance of 69.25 feet to an iron rod set, for an angle corner of this tract;
5. South $49^{\circ}29'01''$ West, a distance of 53.71 feet to an iron rod set, for an angle corner of this tract;
6. South $68^{\circ}39'27''$ West, a distance of 136.47 feet to an iron rod set, for an angle corner of this tract;
7. South $72^{\circ}11'49''$ West, a distance of 184.97 feet to an iron rod set, for an angle corner of this tract;
8. South $80^{\circ}25'35''$ West, a distance of 88.74 feet to an iron rod set, for an angle corner of this tract;
9. North $88^{\circ}43'02''$ West, a distance of 117.67 feet to an iron rod set, for an angle corner of this tract;
10. South $30^{\circ}00'00''$ West, a distance of 274.79 feet to an iron rod set in the north line of said Regan Hill, the same being the south line of the said 18 acre tract, for the Southeast corner of this tract;

THENCE with the north line of said Regan Hill, the same being the south line of the said 18 acre tract, the following two (2) courses:

1. North 60°24'23" West, a distance of 40.00 feet to an iron rod set, for an angle corner of this tract;
2. North 60°24'23" West, a distance of 107.02 feet to the POINT OF BEGINNING, containing 7.174 acres of land, more or less.


George E. Lucas
Registered Professional
Land Surveyor No. 4160
State of Texas
Date: April 21, 1998
File No.: 478-Tr2



Randall Jones Engineering, Inc.
1212 E. Braker Lane
Austin, Texas 78753

FIELD NOTES DESCRIPTION FOR 100-YR. FLOOD PLAIN:

BEING A TRACT OR PARCEL OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING OUT OF AND A PART OF THE J. P. WALLACE LEAGUE, AND BEING A PART OF LOTS 1 THRU 6 INCLUSIVE, BLOCK 21, OF THE A. K. BLACK SUBDIVISION AND BEING A PART OF THAT CERTAIN TRACT OF LAND SAID TO CONTAIN EIGHTEEN (18) ACRES OF LAND DESCRIBED AS TRACT THREE IN A DEED TO ST. JOHN'S REGULAR BAPTIST ASSOCIATION FROM A. K. BLACK AND WIFE, MARTHA BLACK. DATED AUGUST 31, 1956, AND RECORDED IN 1746, PAGE 512, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for a point of reference at a point in the east right-of-way line of Blessing Avenue at its intersection with the north right-of-way line of Delmar Avenue (not opened), for the Southwest corner of Lot 1, Block 21, of the said A. K. Black Subdivision;

THENCE with the north right-of-way line of said Delmar Avenue and the south line of said Lot 1, South $60^{\circ}00'00''$ East, a distance of 115.25 feet to a point, for the Northwest corner and POINT OF BEGINNING of the herein described tract, for which the Southeast corner of said Lot 1 and the Southwest corner of the said 18 acre tract, bears South $60^{\circ}00'00''$ East, a distance of 42.72 feet;

THENCE through Block 21 of the said A. K. Black Subdivision North $30^{\circ}02'27''$ East, a distance of 193.19 feet to a point at the beginning of a curve to the right;

THENCE along said curve to the right at an arc length of 117.53 feet pass the east line of Block 21 of the said A. K. Black Subdivision, the same being the west line of the said 18 acre tract, in all an arc length of 144.01 feet, having a radius of 154.81 feet, a central angle of $53^{\circ}18'00''$, a chord bearing of North $56^{\circ}41'27''$ East, and a chord distance of 138.88 feet to a point;

THENCE continuing through the said 18 acre tract the following five (5) courses:

1. North $83^{\circ}20'27''$ East, a distance of 244.09 feet to a point, for an angle corner of this tract.
2. North $58^{\circ}06'48''$ East, a distance of 170.00 feet to a point, for an angle corner of this tract,
3. North $64^{\circ}25'16''$ East, a distance of 69.07 feet to a point, for an angle corner of this tract;
4. North $00^{\circ}42'32''$ East, a distance of 120.44 feet to a point, for an angle corner of this tract;

EXHIBIT "B"

North 09°14'02" East, a distance of 118.60 feet to a point in the south line of that certain tract of land described as Parcel 22 in a deed to the State of Texas from The St. John's Regular Baptist Association, recorded in Volume 12406, Page 1910, of the Real Property Records of Travis County, Texas, for the Northwest corner of this tract;

THENCE with the south line of the said State of Texas tract, the following two (2) courses:

1. South 60°01'38" East, a distance of 239.66 feet to a point, for an angle corner of this tract.
2. South 62°39'14" East, a distance of 33.12 feet to a point, for the Northeast corner of this tract;

THENCE through the said 18 acre tract the following nine (9) courses:


1. South 30°07'24" West, a distance of 3.95 feet to a point, for an angle corner of this tract;
2. South 77°50'32" West, a distance of 3.83 feet to a point, for an angle corner of this tract;
3. South 48°27'42" West, a distance of 72.73 feet to a point, for an angle corner of this tract;
4. South 23°01'04" West, a distance of 149.78 feet to a point, for an angle corner of this tract;
5. South 57°55'03" West, a distance of 178.02 feet to a point, for an angle corner of this tract;
6. South 74°32'43" West, a distance of 168.30 feet to a point, for an angle corner of this tract;
7. South 89°57'00" West, a distance of 265.58 feet to a point at the beginning of a curve to the left;
8. Along said curve to the left an arc length of 69.59 feet, having a radius of 74.81 feet, a central angle of 53°18'00", a chord bearing of South 56°41'27" West, and a chord distance of 67.11 feet to a point;
9. South 30°02'27" West, a distance of 192.87 feet to a point in the north line of Regan Hill, a subdivision recorded in Volume 46, Page 39, of the Plat Records of Travis county, Texas, the same being the south line of the said 18 acre tract, for the Southeast corner of this tract;

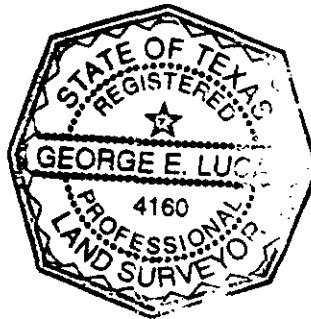
THENCE with the north line of said Regan Hill and the south line of the said 18 acre tract, North 60°24'23" West, a distance of 37.28 feet to a point, for the Northwest corner of said Regan Hill, for the Southeast corner of said Delmar Avenue, for the Southwest corner of the said 18 acre

tract, for the Southeast corner of said Block 21 of said A. K. Black Subdivision, and for an angle corner of this tract;

THENCE with the north right-of-way line of said Delmar Avenue and the south line of said Block 21, North 60°00'00" West, a distance of 42.72 feet to the POINT OF BEGINNING, containing 3.114 acres of land, more or less, of which 0.621 acres of land is out of said Block 21 of the said A. K. Black Subdivision and 2.493 acres of land is out of the said 18 acre tract;

This survey was made from available deed information, plat records, and other recorded information available, and does not purport to be an on the ground survey.

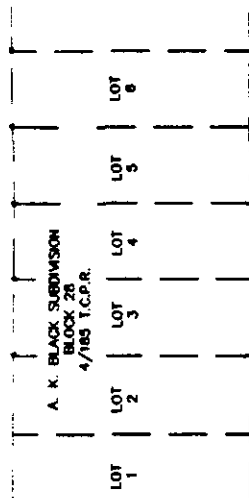

George E. Lucas
Registered Professional
Land Surveyor No. 4160
State of Texas
Date: July 12, 1998
File No.: 478-FL



Randall Jones Engineering, Inc.
1212 E. Braker Lane
Austin, Texas 78753

TO THE
INVESTOR

SCALE
1" = 100'



WHEATLEY AVENUE

DELMAR AVENUE

ST. JOHN'S REGULAR BAPTIST ASSOCIATION
1746/512 I.C.D.R.

STATE OF TEXAS
PARCEL NO. 22
12406/1910 T.C.R.P.R.

S60°01'38"E 239.66

SEE DETAIL "A"

LEGAL DESCRIPTION:

A 3.114 ACRE TRACT OF LAND OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY, TRAVIS COUNTY, TEXAS, OF WHICH 0.621 ACRES OF LAND IS OUT OF LOTS 1 THRU 6 INCLUSIVE, BLOCK 21, OF THE A. K. BLACK SUBDIVISION NO. 2, AS RECORDED IN VOLUME 4, PAGE 185, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND 2.493 ACRES OF LAND IS OUT OF A 18 ACRE TRACT OF LAND RECORDED IN VOLUME 1746, PAGE 512, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

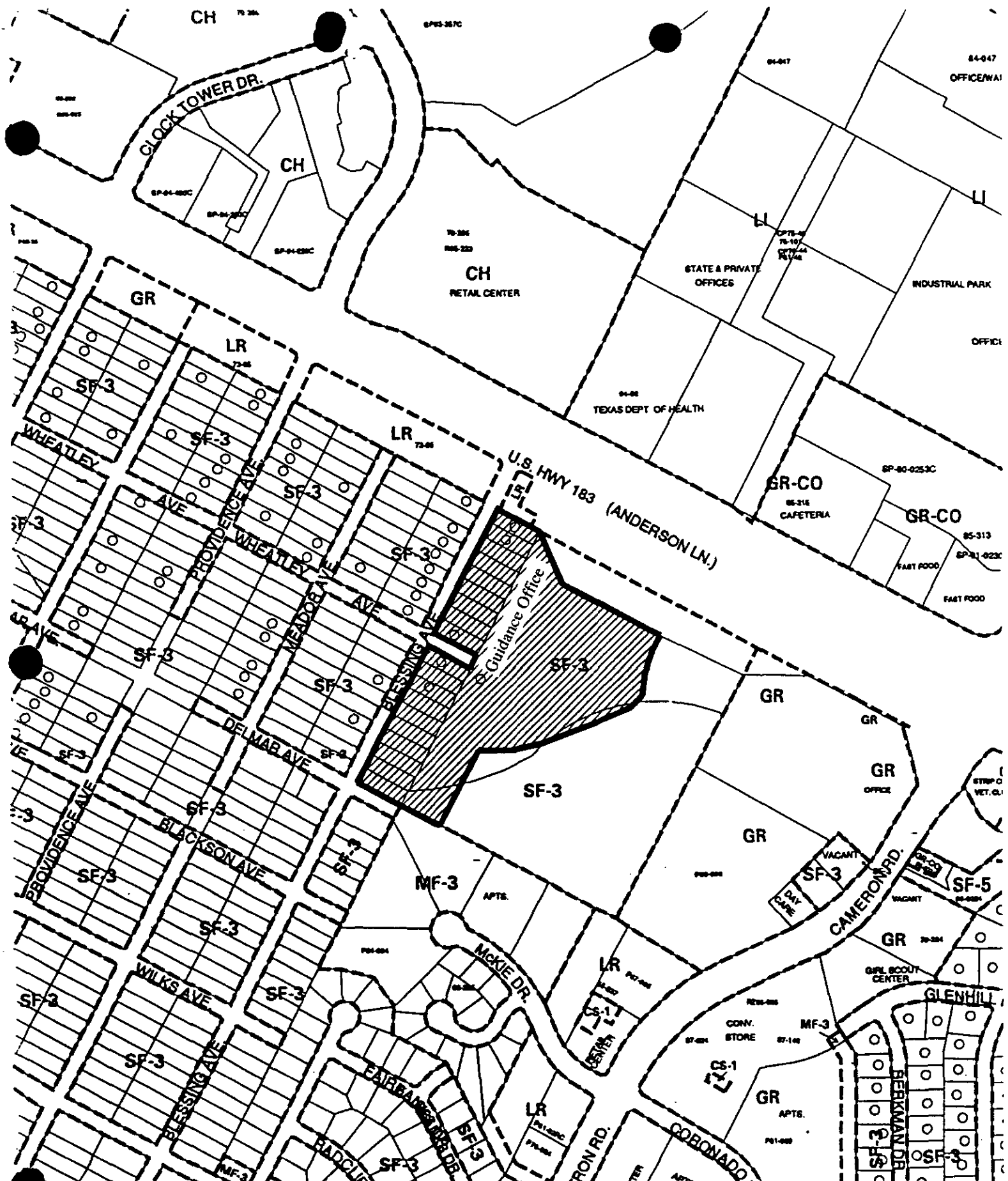
LINE	DIRECTION	DISTANCE
L1	N64°24'16"E	69.07'
L2	N00°42'32"E	120.44'
L3	N09°14'02"E	118.60'
L4	S6°23'39"14"E	33.12'
L5	S30°07'24"W	3.95'
L6	S77°50'32"W	3.63'
L7	S48°27'42"W	22.73'
L8	N60°24'23"W	37.28'
L9	N80°00'00"W	42.72'

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	154.81'	144.01'	77.69'	138.68'	N56°41'27"E	33°18'00"
C2	74.81'	69.59'	37.54'	67.11'	S56°41'27"W	33°18'00"

DATE: JUNE 12, 1998 . JOB NO 478-ET

**RANDALL JONES
ENGINEERING, INC.**

1212 E. BRAKER LANE AUSTIN, TEXAS 78753 (512) 836-4793





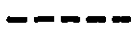
SUBJECT TRACT 
 PENDING CASE 
 ZONING BOUNDARY 
 CASE MGR: I.NARANJO

EXHIBIT "C" ZONING
 CASE #: C14-98-0049
 ADDRESS: BLESSING AVE. &
 WHEATLEY AVE.
 SUBJECT AREA (acres): 10.802

DATE: 98-04
 INTLS: TRC

CITY GRID
 REFERENCE
 NUMBER
 L28

Austin American-Statesman

PO#: 980625-Q
Ad ID#: 7DM400700
Acct#: 5124992499
Account Name: CITY CLERKS OFFICE

CITY CLERKS OFFICE
PO BOX 1088
AUSTIN, TX 78767

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis,
State of Texas, on this day personally appeared:

SHARON JANAK

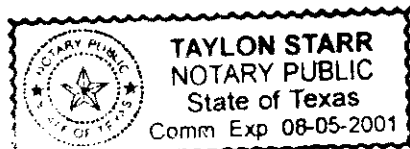
Classified Advertising Agent of the Austin American-Statesman, a daily newspaper
published in said County and State that is generally circulated in Travis, Hays, Burnet
and Williamson Counties, who being duly sworn by me, states that the attached
advertisement was published in said newspaper on the following dates, to wit:

First Published:	7/15/98	Last Published:	7/15/98
Times Published:	1	Classification:	9980
Lines:	22	Cost:	\$61.38

and that the attached is a true copy of said advertisement.

ORDINANCE NO. 980625-Q
AN ORDINANCE REZONING AND
CHANGING THE ZONING MAP AC-
COMPANYING CHAPTER 13-2 OF
THE CITY CODE AS FOLLOWS:
7.174 ACRE TRACT OF LAND OUT OF
THE J.P. WALLACE LEASE, FROM
"SF-3" FAMILY RESIDENCE DISTRICT
TO "MF-2-CO" MULTI-FAMILY RES-
DENCE (LOW DENSITY) DISTRICT;
CONDITIONAL OVERLAY
COMBINING DISTRICT AND "RR-
CO" RURAL RESIDENCE DISTRICT;
CONDITIONAL OVERLAY
COMBINING DISTRICT, LOCALLY
KNOWN AS THE PROPERTY LOCATED
AT BLESSING AVENUE AND WHEAT-
LEY AVENUE, IN THE CITY OF AUSTIN,
TRAVIS COUNTY, TEXAS.
Mayor, Kirk Watson
City of Austin

SWORN AND SUBSCRIBED TO BEFORE ME, this the 15th day of July 1998



Kaylan Sau
Notary Public in and for
TRAVIS COUNTY, TEXAS

305 South Congress Ave., P.O. Box 670, Austin, Texas 78767-0670 512-445-3541